

Article - Natural Resources

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§8–2102.

(a) A person who owns real property on which phragmites grows may apply to the Secretary for cost sharing assistance in the management and control of the spread of phragmites.

(b) The Secretary shall establish a cost sharing program to assist landowners, on whose property phragmites grows, in the management and control of the spread of phragmites.

(c) The Secretary may determine whether the Department should assist a landowner in the management and control of the spread of phragmites based on:

(1) The magnitude of the area to be managed and controlled; and

(2) The possibility of the spread of phragmites into adjoining land and wetland areas.

(d) (1) (i) Subject to the requirements of this subsection, the Department shall pay a landowner 50% of the costs associated with the eradication and control of the spread of phragmites.

(ii) The landowner shall be responsible for any remaining costs.

(iii) Moneys paid to a landowner under this section may be paid from the Tidal Wetlands Compensation Fund, the Wildlife Management and Protection Fund, or federal funds. The Department shall coordinate cost sharing assistance paid from the funds under this section with the Department of the Environment.

(iv) The Department shall require verification of a landowner's expenses before the landowner may receive money from the cost sharing program.

(2) The Department may not pay more than \$12,000 each year to a single landowner, or to a person in the immediate family of the landowner, or to an entity in which the landowner has a substantial ownership interest, under the cost sharing program established in this section.

(3) The Department may not expend more than \$60 per acre per year for any cost sharing project under this section.

(4) In lieu of cash payments to landowners, the Department may substitute in-kind services of equal value.

(5) The Department shall establish priorities to target cost sharing assistance to wetlands restoration and enhancement where:

(i) Phragmites threatens rare or endangered wildlife or plants;

(ii) The highest diversity and abundance of native plants, wildlife, or fish exist; and

(iii) Phragmites can be effectively controlled.

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